

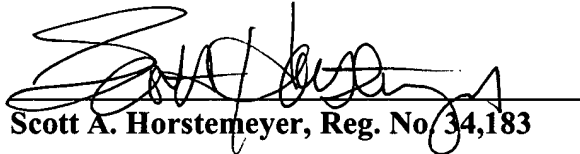
**REMARKS**

The outstanding Office Action indicated that action in this reissue application is stayed until such time as it is evident to the Examiner that (1) a stay of the litigation is in effect, (2) the litigation has been terminated, (3) there are no significant overlapping issues between the application and the litigation, or (4) Applicants request that the application be examined.

Applicants hereby request that the application be examined. The litigation proceeding involving the U.S. Patent No. 5,208,907 has been concluded via settlement. A copy of the Order dismissing the litigation is appended hereto.

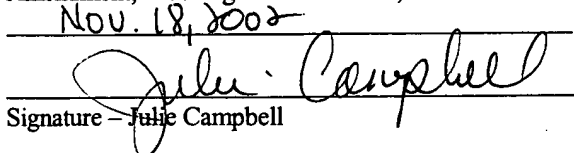
Accordingly, Applicants request that the application be examined at this time. If the Examiner wants copies of any pleadings of the lawsuit, please let Applicants know, and Applicants will acquire and provide such copies to the Examiner.

Respectfully submitted,

  
Scott A. Horstemeyer, Reg. No. 34,183

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Signature - Julie Campbell

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Technology Center 2100

IN THE UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF ARIZONA

Eclipsys Corporation,  
 Plaintiff,  
 vs.  
 Patricia L. Fletcher,  
 Defendant.

No. CIV00-272-TUC-WDB ✓  
 No. CIV00-496-TUC-WDB  
 Consolidated

Scheduling.com, Inc.,  
 Plaintiff,  
 vs.  
 Eclipsys Corporation, et al,  
 Defendants.

**ORDER  
 DISMISSING ACTIONS**

Upon stipulation of the parties and good cause appearing,

IT IS ORDERED that the patent claims and patent counterclaims of Scheduling.com under the Declaratory Judgment Act are dismissed without prejudice, each party to bear its own costs and attorneys fees with respect to such claims.

IT IS FURTHER ORDERED that the patent infringement claims and the patent infringement counterclaims of Eclipsys are dismissed with prejudice, each party to bear its own costs and attorneys fees with respect to such claims.

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1 IT IS FURTHER ORDERED that, subject to the foregoing, all remaining claims  
2 and counterclaims asserted or assertable are dismissed with prejudice, each party to bear  
3 its own costs and attorneys fees with respect to such claims.

4  
5 Dated: 2/21/02

6  
7 William D. Browning  
8 The Honorable William D. Browning  
9 United States District Judge  
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# United States District Court

District of Arizona

Notice of Orders or Judgments  
Fed. R. Civ. P. 77(d)  
Fed.R.Crim.P.49

Date: 02/26/02

To: Craig H Kaufman  
1 S Church Ave  
Ste 1700  
Tucson, AZ 85701

Re: Case Number: 4:00-cv-00272

Instrument Number: 124

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